

III. REMARKS

Claims 1-20 are pending in this application. By this Amendment, claims 1, 7, and 13 have been amended. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicants regard as the invention. Claims 13-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. By this Amendment, claim 13 has been amended according to the Examiner's suggestion. Accordingly, Applicants respectfully request withdrawal of the rejections.

In the Office Action, claims 1-2, 6-8, 12-14 and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Eifrig et al. (RE 38,564), hereinafter "Eifrig"; claims 3, 9, 15 and 20 are rejected under 35 U.S.C. 103(a) over Eifrig in view of Itokawa (USPN6,404,901); and claims 4-5, 10-11 and 16-17 are rejected under 35 U.S.C. 103(a) over Eifrig in view of Ostermann (Coding of Arbitrary Shaped Objects With Binary and Greyscale Alpha-Maps: What Can MPEG-4 Do for you?). Applicants submit that the claimed invention is allowable for the reasons stated below.

With regard to claims 1, 7 and 13, for example, Eifrig does not disclose, *inter alia*, "the masked area is determined from data associated with the foreground shape and is padded with an arbitrary value[,]" as recited in claims 1, 7 and 13. The Office asserts that the landscape backdrop element 109 or the VOP 119 of Eifrig read on the masked area of the claimed invention. (Office Action at page 4). Applicants respectfully traverse this assertion because in Eifrig, either the landscape backdrop element 109 or the VOP 119 is not determined from data associated with the square foreground element 107 and the oblong foreground element 108 or

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VOP 117 and VOP118, respectively. As shown in FIG. 1, and according to the ordinary meaning of "backdrop," the backdrop element 109 and the VOP 119 covers the whole frame and thus is not determined from data associated with elements 107 and 108 or VOP 117 and VOP 118. In addition, the backdrop element 109 and VOP 119, which are identified by the Office as the masked area, are not padded with an arbitrary value. Rather, in Eifrig, "[the] amount of padding required is *related to the parameter f_code* discussed above in connection with Table 1" (Col. 16, lines 38-40). (Emphasis added). That is, the value of padding is not arbitrary in Eifrig. In view of the foregoing, Eifrig does not anticipate the claimed invention.

Applicants submit that the dependent claims are allowable for the same reasons stated above, as well as for their own additional features. For example, with regard to claims 4, 10 and 16, the claimed invention includes, *inter alia*, "the masked area is padded with zeros when the video image comprises a P or B frame." Admitting that Eifrig does not disclose or suggest this feature, the Office asserts that Ostermann overcomes this deficiency of Eifrig. Applicants respectfully traverse this assertion. Ostermann discloses setting "the texture of pels outside of the object" to 0 for inter mode. (See Ostermann at page 275, section 3.) However, the "pels outside of the object" of Ostermann are not equivalent to the masked areas of the claimed invention because pels outside of the object are *not masked* by the object and is not determined from data associated with the object. In addition, in Ostermann, what value is used to pad the pels outside of the object is not determined based on whether the video image comprises a P or B frame or comprises an I frame (*see* claims 5, 11 and 17 of the claimed invention). In view of the foregoing, the suggested combination of Eifrig and Ostermann does not render the claimed invention obvious. The similar arguments also apply to claims 5, 11 and 17 of the claimed invention.

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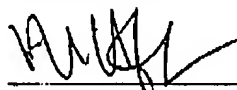
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IV. CONCLUSION

In view of the foregoing, Applicants respectfully request withdrawal of the rejection, and allowance of the application. Should the Examiner require anything further from Applicants, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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11/2/05

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